

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

R. Michael Best	:	
Keith Dougherty	:	
Docson Consulting LLC (SMLLC)	:	
Keith Dougherty Investments & Consulting	:	
LLC (SMLLC)	:	
	:	
	:	
<b>Plaintiff(s),</b>	:	<b>Civil Action NO: 1:14-CV-922</b>
	:	
<b>v.</b>	:	
<b>U.S. Food Inc et al</b>	:	
	:	<b>Frederick Motz (Judge)</b>
	:	
	:	<b>Filed Electronically</b>
	:	
	:	
<b>Defendant(s),</b>	:	<b>Jury Trial Demanded</b>
	:	
	:	
	:	
	:	

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**Plaintiff’s Motion to Strike Richard Daniels Motion to Dismiss  
and Enter Default against Richard Daniels**

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**And now comes Keith Dougherty and R. Michael Best pro se and seek to strike Defendant Richard Daniels Motion to Dismiss as not compliant with Federal Pleading Requirements.**

- 1. As Defendant was properly served 5/22/2014 a “responsive pleading was due no later than 6/12/2014.**
  
- 2. Summons Return Executed was entered in the Record as of 6/4/2014 Doc 18.**

**3. Counsel for Defense entered appearance on or about 6/10/2014.**

**4. Counsel did file a motion to dismiss Doc. 41 6/10/2014 without supporting brief.**

**LR 7.5 Submission of Briefs Supporting Motions.**

**If a supporting brief is not filed within the time provided in this rule the motion shall be deemed to be withdrawn.**

**5. No motion or request to extend time to file having been sought the motion is deemed “withdrawn” under local rule.**

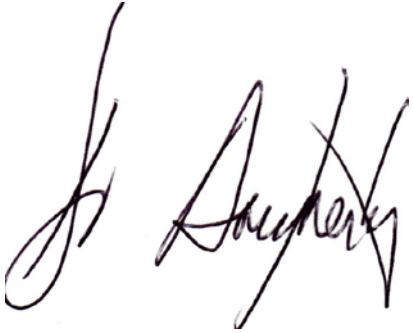
**6. Having failed to plead and defend which requires more than “entry of appearance” default is in order.**

**Prayer For Relief**

**As Defense Counsel for Richard Daniels, have failed to “timely respond” and or “file the supportive brief” required under Rule within the 21 days allowed by Congress (and their opponent has properly cited the Rules in opposition) Daniels’s “motion to dismiss is stricken”; the clerk shall enter default against Richard Daniels.**

**Only Supreme Court opinions are relevant.**

**Respectfully Submitted,**



**Keith Dougherty, CFP®, CLU®, IAR, EA**  
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### **Certificate of Nonconcurrency**

**I Keith Dougherty do hereby certify by phone conversation with  
U.S. Food Inc. Counsel Brian Watson does not concur.**

**/S/Keith Dougherty**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

R. Michael Best pro se	:	
Keith Dougherty pro se	:	
President/Secretary of CUC of MD	:	
Inc. Maryland Close Corp (S Corp)	:	
(Director) of Ken & Jim CUC Inc.	:	
Wholly owned subsidiary of CUC of	:	
MD Inc.	:	
Docson Consulting LLC (SMLLC)	:	
	:	
<b>Plaintiff(s),</b>	:	
	:	
	:	<b>Civil Action NO: 1: 14-CV-922</b>
<b>v.</b>	:	<b>14-CV-480</b>
	:	
<b>US Foods Inc. Delaware Division</b>	:	
<b>Cluck U Corp</b>	:	
<b>JP Haddad</b>	:	
<b>Richard Daniels</b>	:	
<b>Curtis Property Management aka</b>	:	
<b>“the landlord”</b>	:	
	:	
<b>Cumberland County Sheriff’s</b>	:	
<b>Department; Cumberland County</b>	:	
<b>Prothonotary</b>	:	
	:	
<b>President Judge Hess Cumberland</b>	:	
<b>County Common Pleas</b>	:	<b>Frederick Motz (Judge)</b>
<b>Judge Bratton Dauphin County</b>	:	
<b>Common Pleas</b>	:	
	:	<b>Filed Electronically</b>
	:	
<b>Defendant(s),</b>	:	
	:	<b>Jury Trial Demanded</b>
	:	

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**Order**

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**DEFAULT**

**AND NOW on this\_\_\_\_\_ day of June 2014, DEFAULT is hereby entered against defendant Richard Daniels for failure to plead or otherwise defend pursuant to Rule 55(a) Federal Rules of Civil Procedure.**

**Richard Daniels  
Daniels & Daniels LLC  
7309 Baltimore Ave Suite 217  
College Park MD 20740-3200**

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**Frederick Motz (Judge)**

**Certification of Service**

**I Keith Dougherty doe hereby certify a copy of the foregoing was served by 1st class mail prepaid and by ECF where indicated;**

**College Park LLC  
Curtis Property Management  
5620 Linda Ln,**

**By ECF;**

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**Supreme Court of Pennsylvania**  
**Administrative Office of PA Courts**  
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US Foods Inc. Delaware Division**

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**MARSHALL, DENNEHEY, WARNER,**

**COLEMAN & GOGGIN**

**/s/Timothy J. McMahon**

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